IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 10TH DECEMBER 2007 / 19TH AGRAHAYANA 1929

Bail Appl..No. 7592 of 2007()

CMP.4095/2007 of J.M.F.C.-I,THAMARASSERY
CRIME NO.45/07 OF THAMARASERRY EXCISE RANGE

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: PETITIONERS/ACCUSED

P.M.KRISHNAN, AGED 46 YEARS
S/O. POOVANMALAYIL KANDAN,
KADAVUR AMSOM CHAMAL DESOM.

BY ADV. SRI.LUIZ GODWIN D'COUTH

RESPONDENTS: COMPLAINANT

STATE OF KERALA
REPRESENTED BY EXCISE INSPECTOR
THAMARASSERRY EXCISE RANGE, THROUGH
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U.NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 10/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. No. 7592 OF 2007 D

Dated this the 10th day of December, 2007

O R D E R

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. The petitioner was allegedly found to be in possession of 5 litres of arrack on 13/11/2007. He surrendered on 21.11.07 and continues in custody from that date. He has no history of any criminal antecedents, submits the learned Public Prosecutor.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that regular bail can be granted to the petitioner subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioner can now be enlarged on bail on the following terms and conditions:

i) He shall execute a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

ii) The petitioner shall make himself available for interrogation before the investigating officer as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

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